

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	4:09CR3102
	)	
v.	)	
	)	
TIMOTHY J. GRIESS, STEPHANIE THI	)	MEMORANDUM AND ORDER
NGUYEN,	)	
	)	
Defendants.	)	

The parties have moved to continue the trial currently set for June 1, 2010. Filing No. 66. As to defendant Nguyen, it is not anticipated that this defendant's treatment will be complete before the current trial date. As to defendant Griess, the parties need additional time to either negotiate a plea or prepare for trial. The Court finds the parties' motion to continue should be granted.

IT IS ORDERED:

- 1) The joint motion to continue, (filing no. 66), is granted.
- 2) The trial of this case is set to commence at 9:00 a.m. on August 2, 2010 for a duration of four trial days. Jury selection will be at the commencement of trial.
- 3) Based upon the showing set forth in the parties' motion, and the representations of counsel during the conference call held today, the Court further finds that the ends of justice will be served by continuing the trial; and that the purposes served by continuing the trial date in this case outweigh the interest of the defendants and the public in a speedy trial. Accordingly, the time between today's date and August 2, 2010 shall be excluded for speedy trial calculation purposes. 18 U.S.C. § 3161(h)(7).

DATED this 19<sup>th</sup> day of May, 2010.

BY THE COURT:

*s/ Cheryl R. Zwart*  
United States Magistrate Judge